

Atty. Dkt. No. 200311972-1

REMARKS

Applicant respectfully requests that the foregoing amendments be made after entry of the amendment after final filed on March 3, 2006 and prior to examination of the present application.

With this preliminary amendment, Claim 24 is amended and Claims 58-76 are added. Claims 58-76 are believed to be patentably distinct over the prior art of record. Claims 3-5, 7-10, 12-14, 16-20, 24-26, 28-31, and 53-76 are presented for reconsideration and allowance.

I. Added Claims 58-66

Added Claims 58-66 depend from independent Claim 55. As pointed out in the Amendment after Final filed on March 3, 2006, the prior art to record fails to disclose the method recited in Claim 55 in which a layer of the sol gel material is selectively irradiated. In particular, neither Peng, US Application No. 2002/0016075 nor Harima, US 5,169,672, alone or in combination, disclose or suggest selectively irradiating a sol gel material. Neither reference provides any suggestion or motivation for such a hypothetical combination. Accordingly, added claims 58-66 are patentably distinct over the prior art of record for the same previous reasons discussed with regard to Claim 55.

In addition, Claims 58-66 recite additional features which further patentably distinguish such claims over the prior art of record.

A. Claims 58-64

Claim 58 depends from Claim 55 and recite that the method includes irradiating the first portion and a third portion of the layer with differently. Support for added claim 58 is found in Paragraph 24 of the present application. Thus, no new matter is believed to be added.

The prior art of record fails to disclose or suggest irradiating different portions of a layer differently with different parameters. For example, Peng appears to merely disclose an all or

Atty. Dkt. No. 200311972-1

nothing process in which the layer is either irradiated with a laser or is not irradiated with laser. Peng does not disclose or suggest irradiating different portions of the layer with different amounts of energy as recited in Claim 58. Thus, added Claim 58 is presented for consideration and allowance. Claims 59-64 depend from Claim 59 and are patentably distinct over the prior art of record for the same reasons.

B. Claims 65-66

Claims 65 and 66 depend from Claim 55. Claim 65 recites that the second portion underlies or overlies the first portion. Claim 66 recites that the method further includes irradiating the first portion of the layer with the laser having a first focal point or a first wavelength and irradiating a third portion of the layer with the laser having a second focal point or a second wavelength. Support for added Claims 65 and 66 may be found in Paragraph 23 of the present application. Thus, no new matter is believed to be added.

The prior art of record fails to disclose irradiating different portions of a layer using a laser having different focal points. Peng fails to disclose this feature. Accordingly, added claims 55 and 56 are presented for consideration and allowance.

II. Claims 67-75

Added Claim 67 recites a method including forming a layer of material on at least a portion of at least one surface of a substrate, irradiating a first portion of the layer with at least one laser having a first amount of energy and irradiating a second portion of the layer with a second amount of energy with the at least one laser. Support for added Claim 67 and its dependent claims may be found in Paragraph 24 of the present application.

The prior art of record fails to disclose or suggest the radiating different portions of a layer with distinct amounts of energy. Thus, added Claim 67 is presented for consideration and allowance.

Atty. Dkt. No. 200311972-1

Claims 68-75 depend from Claim 67 and are patentably distinct over the part of record for the same reasons.

III. Claim 76

Added Claim 76 recites a method in which first and second portions of the layer are irradiated with a laser having a first focal point or wavelength and a second focal point or wavelength, respectively. Support for added Claim 76 is found in Paragraph 23 of the present application.

The prior art of record fails to disclose or suggest irradiating different portions of a layer with a laser having a different wavelength or a different focal point. Accordingly, added Claim 76 is presented for consideration and allowance.

IV. Conclusion

After amending the claims as set forth above, claims 3-5, 7-10, 12-14, 16-20, 24-26, 28-31, and 53-76 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check

Atty. Dkt. No. 200311972-1

being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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